

Kerry and Jacque Hart

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September 10, 2009

RE: Letter of Protest

Dear Mr. Rankin:

Please accept this correspondence as our official protest to the proposed implementation of transmission lines by Tri-State Electric in the San Luis Valley. The basis for this protest is twofold and we will explain in detail in the narrative that follows.

Before we address the adverse impacts of transmission lines in the San Luis Valley, let us make it perfectly clear that we do not advocate blind opposition to progress; however, we are opposed to blind progress (i.e., blind in the sense when progress lacks thought, planning, and organization). And this "blind progress" is clearly the position Tri-State has taken with the proposed transmission lines. Indeed, without current originating energy sources in the San Luis Valley, coupled with the fact that plans for solar energy development (as the only source of alternative energy in the San Luis Valley) would not justify transmission lines by itself, Tri-State has refused to guarantee that the transmission line project would be reserved exclusively for renewable energy resources and, in public meetings, official from Tri-State did not deny that they may import dirty power that could include coal, Liquefied Natural Gas (LNG), and even nuclear.

Notwithstanding the probability of importing dirty power through the San Luis Valley to metropolitan areas, there are a number of adverse direct impacts this proposal will have. The most salient are:

- I-299-001** | • A permanent compromise of an extended swath of virgin land across the San Luis Valley;
- I-299-002** | • Loss of use of private property along the path of the line;
- I-299-003** | • Aesthetic impacts and loss of scenic values forever;
- I-299-004** | • Water quality impacts from herbicides used to maintain the line right-of-way;
- I-299-005** | • Loss of wildlife habitat and a threat to biodiversity (the San Luis Valley contains many natural wetlands and is home to endangered migratory birds – specifically the Sand Hill Cranes;
- I-299-006** | • Electrical interference with appliances near the line;
- I-299-007** | • Compromise of historic designation

Indirect adverse impacts will stem from increased sales of power, and will include:

- I-299-008** | • Increased emissions of greenhouse gases for the life of the line (30-50 years+);
- I-299-009** | • Increased electricity costs to local customers who will pay a portion of the construction and operation costs. This is particularly egregious in light of the probability that dirty power will be transported from outside the San Luis Valley, will burden the taxpayers of the San Luis Valley, but will benefit those in the metropolitan areas of the Front Range of Colorado since it will merely pass through the San Luis Valley – albeit it will pick up a miniscule of clean solar energy as it passes through;

I-299-001: Purpose and Need (In Review)

Your email/letter/comment form has been received and your comment noted. Project purpose and need will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at <http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-002: Land Rights (In Review)

Your email/letter/comment form has been received and your comment noted. The process of acquisition of land rights for the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at <http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-003: Visual and Aesthetic (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to visual and aesthetic resources from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at <http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-004: Water Resources (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to water resources from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in

I-299-010

- If dirty power is transmitted through the lines, this will result in increased coal mining, mine subsidence, and acid mine drainage; and

I-299-011

- Increased air pollution, including acid rain, ozone, mercury and particulate pollution, especially where the power originates from old dirty coal plants.

We opine that part of the rush for Tri-State to implement this project is based on the fact that the trend is to shift away from transmission lines and focus on local delivery systems. This new delivery system of energy, called "microgrids," are mini-islands of power fueled by distributed solar, wind and Combined Heat & Power (CHP) plants. For obvious reasons, utility companies such as Tri-State are resistant to the concept of a microgrid which allow communities to rely on solar PV, small wind turbines, fuel cells, and CHP units when the larger grid goes down. Indeed, there are many experts who say that microgrids are the wave of the future and transmission lines should be our last priority.

It would be in Tri-State's interest for longevity by the way energy companies operate, to construct expensive transmission lines quickly before microgrids or some other form of delivering clean energy supplant the way Tri-State and other energy companies currently do business. Indeed, Tri-State's poorly constructed proposal for transmission lines in the San Luis Valley is truly an impediment to progress.

The points of protest listed in this correspondence, while having foundation in opinions from experts (scientists and former employees of the coal and gas industries), are no doubt considered arguable by those in the energy industry who can profit from transmission lines across the San Luis Valley. Regardless of the differing opinions surrounding this issue, we can and must agree that the proposal for transmission lines cannot proceed until all the facts have been gathered and all relevant information carefully studied regarding the impact this will have not only on a section of pristine land that will be forever changed, but also for the adverse impact this will have on the environment in our global community.

To allow Tri-State to proceed with their proposal without exercising due diligence would be reckless. We urge you to support an injunction of transmission line construction until the adverse impacts to the San Luis Valley can be thoroughly considered from every perspective.

Sincerely,



Dr. Kerry Hart
Jacqueline T. Hart

late 2010 and will be available at
<http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-005: Wildlife (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to wildlife from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at
<http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-006: Electrical Characteristics (In Review)

Your email/letter/comment form has been received and your comment noted. Electrical characteristics of the proposed project and mitigation measures will be addressed in the Environmental Impact Statement. The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at
<http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-007: Cultural, Historic, and Arch (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to and mitigation measures regarding cultural, historic, and archaeological resources from the proposed project will be addressed in the Environmental Impact Statement. The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at
<http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-008: Air Quality (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts and mitigation measures regarding air quality

from the proposed project will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

<http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-009: Socioeconomic Resources (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to social and economic resources from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

<http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-010: Cumulative Impacts (In Review)

Your email/letter/comment card has been received and your comment noted. Potential cumulative impacts and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

<http://www.usda.gov/rus/water/ees/ea.htm>.

I-299-011: Cumulative Impacts (In Review)

Your email/letter/comment card has been received and your comment noted. Potential cumulative impacts and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

<http://www.usda.gov/rus/water/ees/ea.htm>.